OFFICIAL

#8 JRP 2/2/04

MS AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1614

PATENT
0760-0297P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Hiroki KUMAGAI et al.	Conf.:	9428
Appl. No.:	09/980,197	Group:	1614
Filed:	November 30, 2001	Examiner:	R. Cook
For:	AGENT FOR MODULATING GROWTH OR GENERATION OF HAIR		

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 9, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated April 10, 2003 of the Primary Examiner finally rejecting claims 17, 19-24.

☐ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of $950.00 is required for the full period of the above-requested extension of time.

☐ An extension of _____() month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of $0.00 is required to obtain an additional _____() month(s) for filing the Notice of

Appeal.

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - $330.00

☐ Small Entity - $165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is $1,280.00.

Payment of the above TOTAL FEE is being made in the following manner:

✓ ☒ Check(s) in the amount of $1,280.00 is/are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of $0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____
Gerald M. Murphy, Jr., #28,977

GMM/GMD/gh
0760-0297P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

(Rev. 09/30/03)

PAGE 4/37 * RCVD AT 12/18/2003 1:02:17 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID: * DURATION (mm-ss):11-36

Papers Filed herewith on: October 9, 2003
DOCKET NO: 0760-02978 ATTY: Gmm/kmd
APPLICANT(S): Hiroki Kumagai et al.
APPLN. NO: 09/1980,197 FILED: 11-30-01
PAT NO.: _____

- ☐ New Application with Transmittal Letter
- ☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
- ☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
- ☐ Filing Under 37 CFR 1.114(RCE)
- ☐ Specification Consisting of: _____ pages
- ☐ Combined Declaration & Power of Attorney
- ☐ Assignment / Cover Letter
- ☐ Letter to Official Draftsman
- ☐ Drawings ___ Sheets ☐ Formal ☐ Informal ☐ Red-Ink
- ☐ Completion of Filing Requirements, PCT/DO/EO/905 or Formalities Letter and Executed Declaration
- ☐ Priority Document(s) / Cover Letter, No. Doc. _____
- ☐ Amendment: under 37 CFR 1.116
- ☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity
- ☐ Response _____
- ☐ Information Disd Stmnt. PTO-1449(s) _____ doc(s)
- ☐ PTO / ISA / 210
- ☐ Appeal Brief
- ☐ Notice of Appeal
- ☐ Sequence Listing
- ☐ Issue Fee Transmittal
- ☐ FEES:
- ☐ Letter: _____
- ☐ Other: executed Declaration

OTPE
OCT 09 2003
TRADEMARK OFFICE JC34

DOCKET NO. 0760-02978

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 10-10-03; 10-9-03
Handcarry: _____

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- ☐ FEES: $1280.00 check
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RAM Fee History Query

Revenue Accounting and Management

Name/Number: 09980197 Total Records Found: 7

Start Date: Any Date End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
12/06/2001	00000130	1	581	$40.00	11/30/2001	CK
12/06/2001	00000128	1	966	$216.00	11/30/2001	CK
12/06/2001	00000129	1	968	$280.00	11/30/2001	CK
12/06/2001	00000127	1	970	$890.00	11/30/2001	CK
02/14/2003	00000062	1	1253	$930.00	02/13/2003	CK
10/10/2003	00000035	1	1253	$950.00	10/09/2003	CK
10/10/2003	00000034	1	1401	$330.00	10/09/2003	CK